

**STATE OF OHIO** ) ) **SS** **AFFIDAVIT**  
**COUNTY OF CUYAHOGA** )

Lindsay P. Jones, being first duly sworn, deposes and states:

1. I am a resident of Cleveland Heights, Ohio and am currently employed as the Clerk of Court for the South Euclid, Ohio Municipal Court. Prior to accepting that position, and at all times relevant hereto, I was a paralegal employed at the law firm of Taft, Stettinius & Hollister LLP in Cleveland, Ohio, and this declaration is made from personal knowledge.

2. In a civil action entitled *Ferrini v. Ferrell*, U.S. District Court, Northern District of Ohio Case No. 5:02 CV 3437 (the "*Ferrini v. Ferrell*" case), I provided affidavits dated November 22, 2005 and December 15, 2005 which relate to the criminal contempt with which defendant, Michel van Rijn, is being charged in this case. Those affidavits were submitted in *Ferrini v. Ferrell* in support of Third-Party Plaintiffs' Motion to Appoint Disinterested Counsel to Prosecute Criminal Contempt (ECF Dkt. #214,<sup>1</sup> Exhibit A), and in support of Third-Party Plaintiffs' Reply to Opposition of van Rijn to Appointment of Disinterested Prosecutor (ECF Dkt. #222-1, Exhibit B). Copies of those Affidavits are attached hereto, and incorporated herein in their entirety including all exhibits by reference, respectively, as "Affidavit Exhibit A" and "Affidavit Exhibit B."

3. The aforementioned Affidavits identify, with specificity, various articles, references and links published by Mr. van Rijn on his website, [www.michelvanrijn.nl](http://www.michelvanrijn.nl) (the

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<sup>1</sup> As used in this Declaration, citations to "ECF Dkt # " are to docket entries in the aforementioned *Ferrini v. Ferrell* case.

"*michelvanrijn.nl* website").

4. The *Ferrini v. Ferrell* Court prohibited Mr. van Rijn from publishing such material, pursuant to the specific terms of a settlement agreement entered into by the parties, *see ECF Dkt. #30* at 11-13, which agreement was entered into subject to the continuing jurisdiction of the Court, in order to guarantee its enforceability. *ECF Dkt. #32; see ECF Dkt. # 30* at 43.

5. The prohibition against Mr. van Rijn's publication of the prohibited material was further detailed in an order issued by the *Ferrini v. Ferrell* Court on October 29, 2004, in response to multiple civil contempt motions against Mr. van Rijn. *See ECF Dkt. #172* at 2-4, 1213, 20-23, 26.

6. As of March 19, 2006, all of the prohibited articles, references and links identified in Declaration Exhibit A and Declaration Exhibit B remain on the *michelvanrijn.nl* website.

7. The *Ferrini v. Ferrell* Court's October 29, 2004 Order (ECF Dkt. #172), which granted Third-Party Plaintiffs' Second and Third Motions to Show Cause and Third-Party Plaintiffs' Motion for Injunctive Relief, enjoined Mr. van Rijn from publishing his website *in toto* until he removed all references and links prohibited by the *Ferrini v. Ferrell* Court orders. Despite that prohibition, even after October 29, 2004, Mr. van Rijn has continuously published the prohibited material, and has continuously published his website, in violation of the *Ferrini v. Ferrell* Orders.

8. At the October 22, 2004 hearing in *Ferrini v. Ferrell*, I testified regarding the number of times that references prohibited by Paragraph 6(a) of the *Ferrini v. Ferrell* Settlement Agreement (ECF Dkt. #30) had appeared on the van Rijn website between September 5, 2004 and the date of the hearing. In that testimony, I described 590 separate

prohibited references that Mr. van Rijn had published as of that date. (See *Ferrini v. Ferrell* Hearing Exhibit 18; see also, Hearing Exhibits 1-17).

The 590 prohibited references which I described at the October 22, 2004 hearing remain on the website as of March 19, 2006.

9. In addition, subsequent *to* the *Ferrini v. Ferrell* Court's October 29, 2004 Order enjoining Mr. van Rijn's website publications, Mr. van Rijn has published at least 2,023 *new and additional* references that violate Paragraph 6(a) of the *Ferrini v. Ferrell* Settlement Agreement. These prohibited references are summarized on the chart attached as Exhibit 1 to Declaration Exhibit B.

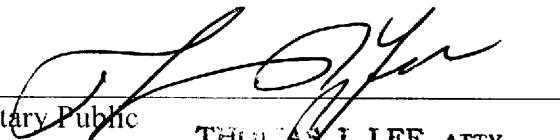
10. On November 3, 2004, the *Ferrini v. Ferrell* Court issued an Order requiring Mr. van Rijn to pay a fine of \$10,000 to the Court for his contemptuous actions. ECF Dkt. #173 at 5. To the best of my knowledge, no such payment to the Court has been made as of the date of this declaration.

11. Based on the information contained herein, the affiant asserts that probable cause exists to arrest Michel van Rijn.

FURTHER AFFIANT SAYETH NAUGHT.

  
LINDSAY P. JONES

Subscribed and sworn before me this 27<sup>th</sup> day of March, 2006.

  
Notary Public      THOMAS J. LEE, ATTY.  
NOTARY PUBLIC • STATE OF OHIO  
My Commission Has No Expiration Date  
Section 147.03 O.R.C.